



TERMINOLOGY	
<b>Debtor:</b> the buyer; the party who takes the loan and provides the security interest on the collateral	<b>Creditor:</b> the seller or lender; for a secured transaction, also known as a secured party
<b>Security Interest:</b> an interest in personal property or fixtures that secures payment or performance of an obligation; also called a <u>lien</u>	<b>Security Agreement:</b> describes the collateral and is signed by the debtor; the agreement is privately held, usually by the lender
<b>Collateral:</b> the property subject to a security interest; can be tangible (consumer goods, equipment, inventory, farm products, fixtures) or intangible (accounts receivable, deposit accounts, investment property)	<b>Financing Statement:</b> a public record filed with the Secretary of State's office that must provide the name of the debtor, name of the creditor/secured party, and an indication of the collateral; this is required for the creditor to perfect the security interest

A **secured transaction** is a loan or credit transaction where the creditor acquires or maintains a security interest in the collateral that is purchased and owned by the debtor, so that the creditor may repossess the collateral if the debtor defaults on his obligations.

**What types of goods and transactions are covered under UCC Article 9?** The types of tangible and intangible collateral described above are all governed by Article 9.

- Consumer goods are goods that are bought or used primarily for personal, family, or household purposes.
- Farm products include crops, livestock, or other supplies produced and used in farming operations.
- Fixtures include items that would require significant reconstruction if removed from the property, such as windows, furnaces, central air conditioning, and plumbing fixtures
- Specific examples of transactions include bank loans for business startups, consumer or business revolving lines of credit, auto loan financing, and installment loan purchases of home appliances.

**Uniform Law Commission Resources:** If a tribe is interested in exploring adoption of its own secured transactions laws, several resources exist on the ULC website to aid in that endeavor:

- ❑ [Revised Model Tribal Secured Transactions Act](#)
- ❑ [Implementation Guide](#)
- ❑ [Compact between the Crow Tribe and the Montana Secretary of State](#)